

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CARPENTERS' DISTRICT COUNCIL OF)
GREATER ST. LOUIS AND VICINITY, et al.,)

Plaintiffs,)

v.)

GATEWAY PANEL, INC., et al.,)

Defendants.)

Case No. 4:10CV1772-HEA

JUDGMENT

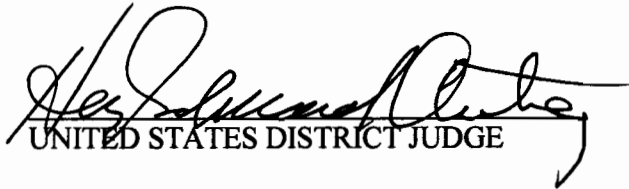
Plaintiffs filed this action on September 20, 2010 to recover from defendants Gateway Panel, Inc. and Grau Contracting, Inc. delinquent fringe benefit contributions owed to the plaintiff benefit funds pursuant to the Employee Retirement Income Security Act, 29 U.S.C. §1132(g)(2) ("ERISA") and pursuant to the Labor Management Relations Act, 29 U.S.C. §185 ("LMRA"). Defendants have not appeared and the Clerk of the Court has entered the default of defendants on December 16, 2010.

Under ERISA, 29 U.S.C. §1132(g)(2) and §1145, and under the applicable collective bargaining agreement, defendant Gateway Panel, Inc. owes \$8,516.10 in delinquent fringe benefit contributions. In addition, Grau Contracting, Inc. owes \$2,365.32 in delinquent fringe benefit contributions. The collective bargaining agreement and ERISA, 29 U.S.C. §1132(g)(2), also require defendants to pay plaintiffs' attorneys' fees and costs. Plaintiffs incurred \$592.00 in legal fees and \$401.50 in costs, for a total of \$993.50. Based on the evidence presented, the Court finds that the services performed by plaintiffs' attorneys were reasonable and necessary to the litigation of this case, that the rates charged were reasonable, and that the amount sought for attorneys' fees is reasonable.

IT IS HEREBY ORDERED that plaintiffs' motion for default judgment is granted.

IT IS HEREBY ORDERED that the Clerk of the Court shall enter judgment by default in favor of plaintiffs and against defendant Gateway Panel, Inc. in the amount of \$8,516.10 as and for delinquent fringe benefit contributions; in favor of plaintiffs and against defendant Grau Contracting, Inc. in the amount of \$2,365.32, as and for delinquent fringe benefit contributions; and in favor of plaintiffs and against defendants Gateway Panel, Inc. and Grau Contracting, Inc., jointly and severally, as and for the legal fees and costs incurred by plaintiffs in this matter, in the amount of \$993.50.

SO ORDERED:


UNITED STATES DISTRICT JUDGE

Dated this 30th day of December, 2010